



JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BERNARD BUSH

Plaintiff,  
vs.

VALASSIS COMMUNICATIONS,  
INC. (DBA VALASSIS); and DOES 1  
through 10; inclusive,

Defendants.

Case No: 2:13-cv-08479 ODW (Ssx)

[Assigned to the Honorable Otis D.  
Wright II - Courtroom 11]

**[PROPOSED] JUDGMENT  
FOLLOWING ACCEPTANCE OF  
RULE 68 SETTLEMENT OFFER**

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## ORDER AND FINAL JUDGMENT

On February 5, 2014, Defendant Valassis Communications, Inc. (d/b/a Valassis) ("Valassis" or "Defendant") mailed to Plaintiff Bernard Bush ("Plaintiff"), a Federal Rule of Civil Procedure 68 ~~Settlement~~ Offer, with the following terms (the "Rule 68 ~~Settlement~~ Offer"):

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Valassis Communications, Inc. ("Defendant") hereby offers to accept entry of judgment in favor of Plaintiff Bernard Bush ("Plaintiff") on all claims brought against it in the total amount of One Hundred Thousand Four [sic] and One Dollars (\$104,001.00), inclusive of all attorneys' fees and costs incurred to date in this action. Plaintiff shall not be entitled to recover any costs or fees, including attorneys' fees, in addition to this amount.

This offer is made by Defendant in full settlement of all of Plaintiff's claims arising out of, alleged in, or related to, the facts and transactions alleged in the operative complaint filed by Plaintiff in this lawsuit. This offer of judgment is made in good faith and solely for the purposes specified in Rule 68 of the Federal Rule of Civil Procedure and nothing in this Offer of Judgment shall be construed as an admission of liability and/or damages (including attorneys' fees) owed to Plaintiff.

If Plaintiff wishes to accept this offer, Plaintiff must serve written notice of acceptance upon defendant, by and through its counsel, within fourteen (14) days after service of this offer of judgment.

If Plaintiff does not accept this offer, and fails to obtain a more favorable judgment against Defendant, please take notice that pursuant to Rule 68(d) of the Federal Rule of Civil Procedure, Defendant will

ask the Court to deny Plaintiff any post-offer costs, including but not limited to, its attorneys' fees and costs, in addition to any other rights and remedies available under the law.

(Dkt. No. 15.)

Within 13 days of service of Defendant's Rule 68 ~~Settlement Offer~~ Offer, Plaintiff accepted it and filed his "Notice of Acceptance of Defendant's Statutory Offer of Judgment Fed. R. Civ. Proc. 68" with the Court on February 18, 2014. (Dkt. No. 16.) On the same day, Defendant received notice of Plaintiff's acceptance via the Court's Case Management/Electronic Filing ("CM/ECF") System. (Dkt. No. 16.)

In accordance with Plaintiff's acceptance of Defendant's Rule 68 ~~Settlement~~ Offer, **IT IS HEREBY ORDERED:**

Judgment is entered in favor of Plaintiff Bernard Bush, and against Defendant Valassis Communications Inc. (d/b/a Valassis), on all claims brought against said Defendant, in the total amount of \$104,001.00, inclusive of any and all alleged damages and available remedies, and inclusive of any and all attorneys' fees and costs incurred by Plaintiff.

**IT IS SO ORDERED.**

Dated: 3-17-14

  
Honorable Otis D. Wright  
United States District Court Judge